

**IN THE MUNICIPAL COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL, CITY OF McMinnville**

**City of McMinnville**

v.

**Case No:** \_\_\_\_\_

**MOTION TO EXTEND DUII DIVERSION  
PERIOD, and DECLARATION IN SUPPORT**

\_\_\_\_\_  
Defendant

**MOTION**

I am the defendant in this case and I ask the court to extend my diversion agreement for \_\_\_\_\_  
(insert time that is not longer than 180 days; however, if you are active military personnel, then insert time  
that will allow you to complete the diversion agreement)

**DECLARATION IN SUPPORT**

1. I have made a good faith effort to complete the conditions of the diversion agreement
  - a. I have completed the following conditions of the diversion agreement:  
\_\_\_\_\_
  - b. I have not completed the following conditions of the diversion agreement:  
\_\_\_\_\_
  - c. I have not completed the diversion conditions listed in "b" above because (*explain*):  
\_\_\_\_\_  
\_\_\_\_\_
2. I will be able to complete the conditions of the diversion agreement within the extended period because (*explain*):  
\_\_\_\_\_  
\_\_\_\_\_
3. I have not asked for or been granted any previous extension of the diversion agreement under ORS 813.225 (except as necessary to accommodate military service)
4. I understand that:
  - a. If I fully comply with the conditions of the diversion agreement within the extended diversion period, the court may dismiss the charge with prejudice if I file a motion under ORS 813.250
  - b. If I fail to comply with the diversion agreement within the extended diversion period, the court will enter a judgment of conviction on the DUII charge and proceed to sentence me without a trial
5. ☐ I am a member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States, or the National Guard. I have been called to active duty or received orders that I will be called to active duty. The military service will prevent me from completing the conditions of the diversion agreement and no comparable treatment program is available because (*explain*):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

Date	Signature	Name (typed or printed)
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Address	City/State/Zip	Phone Number
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